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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/733,260	12/12/2003	Toru Takayama	0756-7226	8689

31780 7590 05/16/2007  
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EXAMINER
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LOPEZ ESQUERRA, ANDRES

ART UNIT	PAPER NUMBER
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2818

MAIL DATE	DELIVERY MODE
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05/16/2007

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	Application No. 10/733,260	Applicant(s) TAKAYAMA ET AL.	
	Examiner Andrés López-Esquerro	Art Unit 2818	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 12 December 2003.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-13 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 12 December 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date <u>See Continuation Sheet</u> . | 6) <input type="checkbox"/> Other: _____  |

Continuation of Attachment(s) 3). Information Disclosure Statement(s) (PTO/SB/08), Paper No(s)/Mail Date :12/12/2003,02/17/2004, 09/23/2004, 05/12/2005, 04/25/2006, 03/16/2007.

## **DETAILED ACTION**

### ***Specification***

1. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

### ***Claim Objections***

2. Claims 3, 6, 9, and 13 are objected to under 37 CFR 1.75(c), as being of improper dependent form for failing to further limit the subject matter of a previous claim. Applicant is required to cancel the claim(s), or amend the claim(s) to place the claim(s) in proper dependent form, or rewrite the claim(s) in independent form. Each of the above claims mention depend from claims 1, 4, 7, and 10 respectably and all of which are devices while claims 3, 6, 9, and 13 are system using the device and so no new structure is added to the same.

### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was

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not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

**5. Claims 1 – 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Freeman et al US 6,019,284 (Freeman) in view of Applicant's Admitted Prior Art (AAPA).**

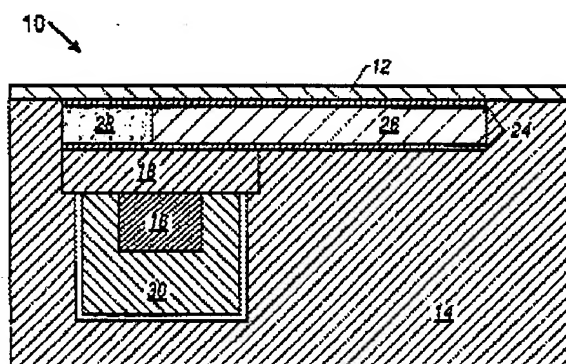


Figure 4B

6. As for claims 1, 4, 7, and 10, Freeman discloses (Col. 4 line 15 – Col. 5 line 9) and shows in Fig. 4B a flexible card with a display comprising:

- a. a display device (22);
- b. a thin film integrated circuit (16);
- c. a semiconductor element used for the thin film integrated circuit and the display device is formed by using a polycrystalline semiconductor film (14)
- d. display device is a passive matrix type or an active matrix type (display device is an LCD controlled by the IC, therefore is an active matrix one) (Col 4 lines 38 – 52);
- e. the thin film integrated circuit is laminated (12);

f. the display device and the thin film integrated circuit are equipped for the same printed wiring board (14).

7. A recitation of "driving of the display device is controlled by the thin film integrated circuit" of the claimed invention does not result in a structural difference between the claimed invention and the prior art, thus claimed invention is only an art recognized suitability for an intended purpose, MPEP 2144.07.

8. Freeman fails to disclose the thickness of the IC card to be from .005 mm to 1 mm.

9. AAPA discloses (page 2) that the thickness of the IC card is generally 0.7 mm.

AAPA is evidence that ordinary workers in the art would find a reason, suggestion or motivation to use create the thickness of the IC card to be 0.7 mm.

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify Freeman by creating the thickness of the IC card to be 0.7 mm for such advantages as been able to store it in a small area such as a pocket, wallet or purse and been able to undergo flexing without permanent loss of the display information and display element (Freeman Abstract).

10. Furthermore, Freeman discloses the claimed invention except for the range of the IC card thickness to be from .05 mm to 1 mm. It would have been obvious to one of ordinary skill in the art at the time of the invention was made to create the IC card thickness to be from .05 mm to 1 mm, since it has been held that where the general conditions of a claim are disclosed in the prior art, discovering the optimum or working ranges involves only routine skill in the art. In re Aller, 105 USPQ 233.

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11. As for claim 10 limitation, Freeman in view of AAPA discloses the claimed invention except for the plurality of the thin film. It would have been obvious to one having ordinary skill in the art at the time of the invention was made to make a plurality of the trenches with corresponding devices in them, since it has been held that mere duplication of the essential working parts of a device involves only routine skill in the art. *St. Regis Paper Co. v. Bemis Co.*, 193 USPQ 8.

12. As for claims 2, 5, 8, and 12, Freeman discloses (Col 4 line 54) the display device to be an LCD (24,26).

13. As for claims 3, 6, 9, and 13, a recitation of "a booking- account system using the IC card wherein ... is displayed in the display device." of the claimed invention does not result in a structural difference between the claimed invention and the prior art, thus claimed invention is only an art recognized suitability for an intended purpose, MPEP 2144.07.

14. Furthermore, examiner would like to point out that Freeman discloses the use of the claim invention in a process of storing information about a date and bank balance and been display in the same.

15. As for claim 11, Freeman discloses the claimed invention except for the range of the thin film integrated circuits thickness to be from 1  $\mu\text{m}$  to 5  $\mu\text{m}$ . It would have been obvious to one of ordinary skill in the art at the time of the invention was made to create the thin film integrated circuits thickness to be from 1  $\mu\text{m}$  to 5  $\mu\text{m}$ , since it has been held that where the general conditions of a claim are disclosed in the prior art, discovering

the optimum or working ranges involves only routine skill in the art. In re Aller, 105 USPQ 233.

### ***Conclusion***

16. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. US 5,656,511, US 2001/0022644, US 6,414,441, and US 6,402,039.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Andrés López-Esquerro whose telephone number is (571) 272-9753. The examiner can normally be reached on M - Th 6:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Matthew S. Smith can be reached on (571) 272 - 1907. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



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Andrés López-Esquerro  
Examiner  
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ALE



Andy Huynh  
Primary Examiner